



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

June 14, 1991

Mr. Kevin T. O'Hanlon  
General Counsel  
Office of Legal Services  
Texas Education Agency  
1701 North Congress Ave.  
Austin, Texas 78701-1494

OR91-294

Dear Mr. O'Hanlon:

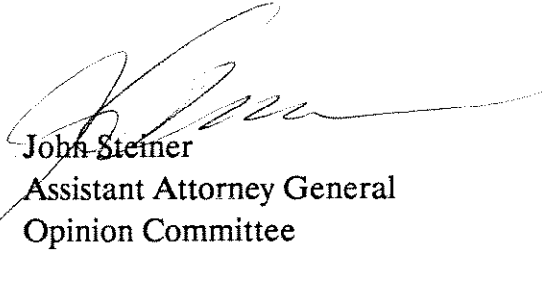
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12321.

You sought an open records decision from this office pursuant to section 7(c) of the act. Consequently, this office notified representatives of TeleGraphics and ICOM Communications, Inc. that we received your request for an open records decision regarding all correspondence between those two companies and the Texas Education Agency. In our letters to Messrs. Rick Johnson, Scott Owens, and Peter McCain, this office asked for explanations as to why portions of their driving safety curriculum proposals that were submitted to your agency were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than five weeks have elapsed since this office issued its notice, but all three individuals listed above have failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor these three individuals have contended to this office that the requested information

should be withheld, you should release the information at this time.

Yours very truly,



John Steiner  
Assistant Attorney General  
Opinion Committee

JS/RWP/lb

Ref.: ID# 12321  
ID# 12347  
ID# 12521

cc: Susan G. Morrison  
Attorney at Law  
1712 Rio Grande St., Suite C  
Austin, Texas 78701

Peter McCain  
TeleGraphics  
2330 Timber Shadows Dr., Suite 202G  
Kingwood, Texas 77002

Rick Johnson and Scott Owens  
ICOM Communications, Inc.  
123 Post Oak Lane, Suite 450  
Houston, Texas 77024